G. R. S. 59]

GPB—3,000—20-7-12

p 23

GENERAL AND REVENUE SECRETARIAT.

1912-13

(Genl. Misc.)

File No. 282-12

Serial Nos.

Papers Filed.

Month March 1913

SUBJECT.

Copy of P.W.D. Secretary's letter to the Military Secy to H.H. the Maharaja intimating that it is the desire of the Durbar that no rent should be charged for the periods during which the Hon'ble the Resident's servants with their kit occupy 'Anvidy House' at Ooty.

PREVIOUS REFERENCES.	LATER REFERENCES.

K.N. Krishnaswamy Ayr 18-3-13

G.R.S. 11] 1912-13.

GENERAL AND REVENUE SECRETARIAT.

(Gen: This)

NOTES.

File No. 282.

FILE HEADING.

Rent to be charged for the occupation of the Awdry House by the Hon'ble the Resident -

From

The Secy to Govt - P. W. D.

No. 284/1923 Dated 4. 3. 1913. Received 6. 3. 1913.

Diary No. 4847	Enclos. 1 file of 22 papers	Spare Copies. -	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for information a copy of his letter no. 281/1920 of 4. 3. 1913 to the Secy to H.H. the Maharaja intimating that it is the desire of the Durbar that no rent shd be charged for the periods during which the Hon'ble the Resident's Servants with their kit occupy the 'Awdry House' at Ooty & also forwards for record copies of the correspondence on the subject.

NOTES AND ORDERS.

Subd for perusal.

hsg(76) MK
10/3/13

Secretary

Seen.

This may be filed

10.3.13.

11/3

NOTES—First Sheet.

GPB—35,000—15-6-12

Mysore Public Works Department,
Central Office,
Bangalore, Dated 4th March 1913.

No. 281/1920

From

Harpur Srinivasrav, Esq., B.Sc., L.C.E.,
Offg. Secretary to the Government of His Highness
the Maharaja of Mysore, Public Works Department,
Bangalore.

DIARY No. 4847 G
1912-13
SECTION Genl Misc
FILE No. 282 9/12-13
SERIAL No. 1

The Military Secretary to His Highness
the Maharaja of Mysore, Bangalore.

Sir,

In supersession of this office No.1241/12007 dated the 11th December 1912, I am directed to inform you that it is the desire of the Durbar that no rent should be charged for the periods during which the Hon'ble the Resident's servants with their kit occupy the "ANNEXE HOUSE" at Ootacamund. I am to request that the Residency may be informed accordingly.

2. A copy of the office note together with the correspondence on the subject is herewith forwarded for information and record.

I have etc.,
Sd.H.Krishnaiengar,
For Offg. Secy. to Government, P.W.D.

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No. 284/1923 Bangalore, Dated 4th March 1913.

Copy of the above is forwarded, with compliments, to the Secretary to Government of His Highness the Maharaja of Mysore, General and Revenue Departments, for information.

2. Copies of the correspondence relating to the subject are herewith forwarded for record.

H. Krishnaiengar
Under Secretary to Government,
Public Works Department.

A.R.A.

SUBJECT. Levy of rent on Awdry House, at Ootacamund.

N O T E.

With the knowledge and approval of the Government of India, the Hon'ble the Resident in Mysore was allowed the use of a house belonging to the Durbar, at Ootacamund, rent free. (vide Sir Donald Robertson's D.O. to the Dewan Sir K.Seshadri Iyer, dated the 23rd May 1899).

2. Awdry House is the building set apart for the occupation of the Hon'ble the Resident at Ootacamund by the Durbar

3. In February 1906, Mr.Moss King, the First Assistant to the Hon'ble the Resident, informed the Dewan, with reference to the previous correspondence of 1899, that the question of the continued occupation of Awdry House on the present terms had again been under consideration and that the Resident (Mr.S.M.Fraser) "cannot agree to occupy the house except on payment of a rent at the rate of Rs.300 for each month or part of a month during which the house is used by him." With the approval of His Highness the Maharaja, the Residency were informed in reply that, if it was impossible to allow the Durbar to show the Hon'ble the Resident the very ordinary attention of placing a house at his disposal rent free in an out-station like Ootacamund, they had no alternative but to accept the revised terms. (Vide Sir P.N. Krishnamurti's D.O.No.1653 dated the 20th March 1906). The Military Assistant was also accordingly informed in General and Revenue Secretary's letter No.G.466 G.M.306-05-2 dated the 23rd July 1906 that "the rent to be charged for the occupation of the Awdry House was Rs.300 per month or fraction of a month."

4. This modified arrangement continued for some more years

5. In connection with the adjustment of rent payable for the period between September 1910 and October 1911, the Military Secretary, on a reference from the Chief Engineer, pointed out that he could not think that the intention was to make the Resident pay Rs.300 for occupation of the Bungalow for a few days and that perhaps Rs.10/- a day was what was intended, and solicited the Dewan's orders as to whether he should ask for Rs.300 each time the Hon'ble the Resident visits Ooty and lives in the Government House or whether he may correct the rent to a daily. In any case, before addressing Colonel Daly, he wished to be quite sure that Mr.Chandrasekhara Aiyar's "or fraction of a month" was really a correct interpretation of the wishes of His Highness' Government. (Vide Military Secretary's Note No.69 dated the 1st November 1911).

n This refers to the letter adverted to in the concluding portion of para 3 of this Note).

6. This note was referred by the Dewan to the General Department for the previous references being put up and the General Secretary Mr.Balasundaram Iyer, in putting up the correspondence of 1906 noted that the rent was fixed "at the rate of Rs.300 for each month or part of a month during which the house is used by him (the Hon'ble the Resident)."

7. Thereupon, the late Dewan Mr.T.Ananda Row referred the papers back to the Military Secretary with the opinion that "the rent may be levied calculated on the number of days of actual occupation," and ordered at the same time that the Residency may be written to in the matter.

8. The First Assistant to the Hon'ble the Resident was thereupon demi-officially written to by Col.R.C.Jones, Military Secretary, in his D.O.No.176 dated the 12th March 1912 for some definite rule being fixed. In reply, the First Assistant to the Hon'ble the Resident in his D.O.No.1709 dated the 28th March 1912 stated that he had been "desired

by Sir Hugh Daly to say that, in future, payment will be at the rate of Rs.10/- a day. "In his letter No.3903 dated the 3rd April 1912, the Military Secretary conveyed the above orders to the Secretary, Public Works Department, that in future a rent of Rs.10/- per diem should be charged instead of Rs.300/- per mensem as heretofore.

9. On these orders being communicated to the Superintending Engineer, Southern Circle, he pointed out in his No.4208 dated the 23rd May 1912 that the servants and kit had arrived 21 days in advance of the Hon'ble the Resident, and that, if approved, the rent would be calculated from the date on which the building was occupied by the servants. The Chief Engineer (now Dewan) forwarded this to the Military Secretary for his opinion with his U.O.No.98 dated the 8th June 1912. Col.Jones said, "I think we should only charge when the Hon'ble the Resident himself arrives" and was not in favour of charging servants rent. (Vide his U.O.No.4771 dated the 10th June 1912). The Secretary, Public Works Department, then informed the Superintending Engineer, Southern Circle, that the rent for the Awdry House at Ootacamund should always be calculated for the period between the arrival and departure of the Hon'ble the Resident and that it was not intended that any rent should be charged for the servants and kit which go in advance and leave after the departure of the Hon'ble the Resident. A copy of this was at the time forwarded to the Comptroller, Public Works Branch, for information.

10. In his note dated the 16th July 1912 the Secretary, Public Works Department (now Dewan), reported the action taken to the Dewan..

11. The Dewan Mr.T.Ananda Row referred this to the Financial Secretary for opinion and note of the correctness of the interpretation. The Financial Secretary stated that

"on the analogy of Travellers' Bungalow Rules, perhaps, half rent may be charged for the days during which only servants and kit remain in the Bungalow." The Dewan agreed with this view and the papers were referred back to the Public Works Department.

12. The Public Works Secretary, however, resubmitted the papers for the Dewan's further consideration of the question of charging half rent for the period occupied by servants and kit, but the late Dewan Mr.T.Ananda Row passed the following order:-

"I do not think that we are the free agents that Col. Jones considers us to be. I do not know about Udeypur. But here we have peremptory orders to charge something and half rates are better than full rates."

13. Thereupon, the Secretary, Public Works Department, desired the Military Secretary in his No.1517/9203-5 dated the 16th November 1912 to inform the Residency that half rent will be charged for the Awdry House at Ootacamund for the days during which only servants and kit remain in the Bungalow. The Residency does not however appear to have been written to by the Military Department till now.

14. These explain the facts of the case in so far as they have transpired.

15. Meanwhile, Col.A.A.Jones has now forwarded the con-nected papers to the Dewan and has enquired what the Dewan thinks of the matter. He says, "it seems to me that the Hon'ble the Resident should only pay for the time he personally occupies the house and not for the days the servants get it ready for him or clear it of his things after he has left."

16. The point for orders now is what reply should be given to Col.A.A.Jones whether the Residency may be addressed agreeably to the previous decision that half rent will be charged for the period occupied by the servants and

kit or whether this decision is to be reconsidered.

17. As will be seen from the previous correspondence the present Dewan was not in favour of charging any rent for the servants and kit which go in advance and leave after the departure of the Resident. In the last letter from the Secretary, Public Works Department, to the Military Secretary, the Public Works Secretary has stated as follows:-

"The rules in force regarding the rent payable for the occupation of Travellers' Bungalows in Mysore specify that half the rent should be recovered in cases where servants arrive in advance of their officers; and it is considered necessary by Government that similar rules may also be made applicable to the Awdry House, agreeably to the Government of India Regulations which stipulate that no special concessions in the matter of house rent should be allowed to British Officers by the Durbars concerned."

D.O.Letter dated 23rd May 1899 from Sir Donald Robertson to the Dewan of Mysore.

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I have received a reply to the reference which I informed you I had made to the Foreign Secretary, on the question of the Resident's paying rent at Ootacamund whilst he occupies a House which the Durbar have been good enough to provide. In my letter I explained the view you took in conversation with me about the case generally and His Excellency the Viceroy, to whom the letter was shown, has decided that the offer to provide a house at Ooty having been freely and spontaneously made, it should not be refused and that consequently rent need not be paid. I hope that this decision will be as satisfactory to you as it is to me. I fully appreciate the kindness of the Durbar and the Minister of the State in providing me with such a comfortable house at Ooty, but in view of what had already passed, I did not feel I was justified in accepting this attention without the knowledge and approval of the Government of India.

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D.O.Lttter Nó.1210 dated 22nd February 1906 from Mr.Moss King, First Assistant Resident, to Sir P.N.Krishnamurti, Dewan of Mysore.

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Please refer to the correspondence ending with the late Sir Seshadri Iyer's letter of the 26th May 1899, regarding the offer of the Durbar to provide the Resident with a house at Ootacamund rent free.

The question of the continued occupation of Awdry House (which has been set apart for the accommodation of the Resident) on the present terms has again been under consideration, and I am to say that, while fully appreciating the generous sentiments of the Durbar in the matter, the Resident cannot agree to occupy the house except on payment of a rent at the rate of Rs.300 for each month or part of a month during which the house is used by him. This you will remember is the same arrangement as was made in Sir William Lee-Warner's time, and Mr.Fraser will be glad to hear at your early convenience that the Durbar are agreeable to the condition.

D.O.Letter No.1653 dated 20th March 1906 from the Dewan Sir P.N.Krishnamurti, to Mr.Moss King, First Assistant Resident in Mysore.

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Your letter No.1210, dated the 22nd February last, about the occupation of the Awdry House at Ootacamund by the Hon'ble the Resident.

It would have been very gratifying to the Durbar had the Resident found it possible to occupy the house on the present terms for the reasons stated in Sir Donald Robertson's letter, dated the 23rd May 1899. If it is impossible to allow the Durbar to show the Hon'ble the Resident the very ordinary attention of placing a house at his disposal rent free in an outstation like Ootacamund, they have no alternative but to accept the revised terms contained in your letter.

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Letter No.G.436/G.M.306-06-2 dated the 23rd July 1906 from the General and Revenue Secretary, to the Military Assistant to the Government of Mysore.

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With reference to your letter No.4317/34-05-06 dated the 25th June 1906, enquiring what rent is to be charged for the Government building occupied by the Hon'ble the Resident at Ootacamund, I have the honour to state that the rent to be charged for the occupation of Awdry House is Rs.300 per month or fraction of a month.

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M E M O R A N D U M.

Military Department.

To the Dewan of Mysore for orders.

No.69, Dated the 1st Nov. 1911.

SUBJECT.

The rate of rent to be charged for the occupancy of Awdry House by the Hon'ble the British Resident in Mysore.

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I submit, for favor of consideration and orders, correspondence ending with letter No.9400 dated 20th October 1911, from the Chief Engineer of Mysore.

2. Please see letter No.G.463/G.M.306-05-2 dated 23rd July 1906, from the General Secretary. This was forwarded to the Residency with Military Assistant's letter No.428 dated 30th July 1906.

3. You will note that this letter says that fractions of a month are to be charged for as a whole month. I cannot think that the intention is to make the Resident pay Rs. 300/- for occupation of the Bungalow for a few days and that perhaps Rs.10/- a day is what is intended.

4. Col.Daly has sent me Rs.750/- calculated presumably from his letter at the daily rate.

5. Will you kindly issue orders whether I am to ask him for 300/- each time he visits Ooty and lives in the Government House or whether I may correct the rent to daily.

6. Of course the rent recovered from the Resident is really quite inadequate to cover the expenses for the year and I think it would look better to ask again permission

to waive all rent. The House is then a courtesy and not a half right.

7. But in any case before addressing Col.Daly I wish to be quite sure that Mr.Chandrasekhara Aiyar's "or fraction of a month" is really a correct intepretation of the wishes of His Highness' Government.

Sd.R.G.Jones,
Lt.Col.
Military Secretary.

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To

The Secretary, General and Revenue Departments.

Kindly put up the references leading up to Mr.Chandrasekhara Aiyar's letter of 23rd July 1906. It is the practice for house owners at Ootacamund to charge a full month's rent for a fraction of a month. But that is in the case of houses available for the general public. Awdry House is not one such, and the rent leviable is merely as a business transaction under the Easement Regulations. If this be correct, the rent should go by the number of days during which the house was occupied by the Resident.

Itd.T.A.R.

9-11-1911.

The confidential D.O. file on the subject (File No.142) is put up. Reference is invited to Mr.Moss King's D.O.No.1910 dated 22nd February 1906 in which the rent is fixed "at the rate of Rs.300 for each month or part of a month during which the house is used by him (the Resident)."

Itd.C.S.B.

9-1-1912.

Dewah.

To the Military Secretary to H.H.

The literal meaning of the words in the order is clear. But I am inclined to think that the rent may be levied calculated

on the number of days of actual occupation. Is any reference to the Residency necessary?

Itd.T.A.R.

19-12-1912.

I think that we had better return Col.Daly's extra money to Mr.Warburton with a note from me or General Secretary saying that we find that the Resident stayed only 68 days and that if the rent is fixed at Rs.10/- per day the amount paid is too great and if at Rs.300/- a month or part of a month it is not sufficient.

That the Durbar only charge rent at all under orders from the Government of India and are quite prepared therefore to accept any rate but as a matter of account would it like to be properly defined for future reference.

Sd.R.G.Jones, I.A.
27th Feb. 1912.

Yes. I think Col.Jones may well write as above suggested himself.

Itd.T.A.R.
5th March 1912.

D.O.No.176 dated 12/14th March 1912 from Lt.Col.R.G. Jones, Military Secretary to His Highness the Maharaja of Mysore, to P.W.Warburton, Esq., First Assistant to the Hon'ble the Resident in Mysore.

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In continuation of my letter No.1361 dated the 14th October 1911, acknowledging receipt of cheque for Rs.750/- sent on account of rent for occupancy of Awdry House by Sir Hugh Daly during September 1910, April-June 1911 and September 1911, the Audit officials have asked me how the rent is calculated. On examining the matter, I find that the Resident has during the period in question stayed only 68 days at Ooty. If therefore the rent be Rs.10/- per day as calculated in Col.Sir Hugh Daly's letter, the amount paid is too much. On the other hand, if the rental be Rs.300/- for any portion of a month, it errs in the other direction.

Would you therefore kindly fix some definite rule. The Durbar had no desire to charge any rent and only did so under instructions through the Residency. The Durbar are, therefore, quite prepared to accept any rate considered correct, but as a pure matter of account would like it defined.

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D.O.No.1700 dated 29th March 1912 from Mr.P.B.Warburton First Assistant to the Hon'ble the Resident in Mysore, to Col.R.G.Jones, C.I.E., Military Secretary to His Highness the Maharaja of Mysore.

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With reference to your D.O.No.176 dated the 12th March 1912, regarding the rent of Awdry House, Ooty, I am directed by Sur Hugh Daly to say that, if future, payment will be at the rate of Rs.10/- a day, and that, if an error has been made as to the last payment, it can perhaps be adjusted when he makes the next payment.

I am to add that Sir Hugh ~~Daly~~ quite understands and appreciates the generous attitude of the Durbar in the matter.

Letter No.3903 dated 3rd April 1912 from the Military Secretary to His Highness the Maharaja, to the Chief Engineer of Mysore.

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With reference to your letter No.2388 dated 26th March 1912, I have the honour to inform you that under instructions from the Dewan I wrote again to the Residency so that we should have something definitely settled about the rate of rent to be paid by the Hon'ble the Resident. It has now been arranged that Col.Daly will in future pay Rs.10/- per diem and the Resident has asked that any balance remaining out of the amount already sent may kindly be credited towards his next bill.

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Extract of letter No.4298 dated 23rd May 1912 from the Superintending Engineer, Southern Circle, to the Chief Engineer of Mysore.

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x x x

3. In this connection I beg to bring to your notice that in April 1911, the servants of the Hon'ble the Resident and kit have arrived at Ooty on 5th April, 21 days in advance of the Resident. The rent has been calculated only from the 26th April, the date the Resident has arrived at Ooty. If approved, the rent will be calculated from 5th April only, the date on which the building was occupied. In that case the liability of the Residency would amount to Rs.280/-

4. Definite orders as to the rent chargeable are solicited

x x x

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Un-official Note No.4771 dated 12th June 1912, by the Military Secretary to His Highness the Maharaja.

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I think we should only charge when the Resident himself arrives. Perhaps you do not know that His Highness Udaipur, will not charge any rate at all for his Houses.

I myself think it very undignified for His Highness' Government which is practically His Highness to charge anything. If we do charge, let us in any case avoid charging servants rent.

Itd.R.G.Jones,
Lt.Col.

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No.751-2/5190-1 dated 26th June 1912.

To

The Superintending Engineer,

Southern Circle.

In continuation of this office No.4489 dated the 7th June 1912, has the honour to inform the Superintending Engineer that rent for the Awdry House at Ootacamund should always be calculated for the period between the arrival and departure of the Hon'ble the Resident.

It is not intended that any rent should be charged for the servants and kit which go in advance and leave after the depature of the Resident.

Sd.K.Krishnaiengar,
Under Secretary to Govt.,
Mysore P. W. D.

No.752/5191 dated 26th June 1912.

Copy of the above is forwarded to the Comptroller, Public Works Branch, for information in continuation of this office No.750/5189 of this date.

Sd.K.Krishnaiengar,
Under Secretary to Govt.,
Mysore P. W. D.

MYSORE PUBLIC WORKS DEPARTMENT.

TO THE DEWAN OF MYSORE FOR INFORMATION OR ORDERS.

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In his letter No.3903 dated the 3rd April 1912, the Military Secretary to His Highness the Maharaja conveyed the recent orders of Government that in future a rent of Rs.10/- per diem should be charged for the occupation of the Awdry House at Ootacamund by the Hon'ble the Resident instead of Rs.300/- per mensem as heretofore. Col.Jones also stated that Sir Hugh Daly has asked that any balance remaining out of the amount paid by him for the period between September 1910 and October 1911 may be credited towards ~~in~~ his next bill, I have accordingly informed the Comptroller in reply to a question raised by him that the order for charging Rs.10/- per diem is also intended to apply to the period referred to above.

2. I have also informed the Comptroller, in consultation with Col.Jones, that rent should always be calculated for the period between the arrival and departure of the Hon'ble the Resident and it is not intended that any rent should be charged for the servants and kit which go in advance and leave after the departure of the Resident.

Sd.M.Visvesvaraya,

Secretary to Government,

P. W. Department.

Bangalore,

16th July 1912.

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To

The Financial Secretary for opinion and note of the correctness of the interpretation.

Itd.T.A.R.

24-7-1912.

The larger question, viz., change in the rate of rent from Rs.300/- a month or part of a month to Rs.10/- a day seems to have been settled apparently after due consideration and with proper sanction. The matter referred to in para 2 of the Public Works Secretary's note of 16th July 1912 appears to be of comparatively little importance. On the analogy of Travellers' bungalow rules, perhaps half rent may be charged for the days during which only servants and kit remain in the bungalow.

19th August 1912. Sd.J.S.Chakravarti.

Dewan.

A I believe so. This may be verified and if necessary defect may be corrected.

B I agree.

Itd.T.A.R.

15th September 1912.

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Resubmitted to the Dewan of Mysore with the papers obtained from the Military Secretariat bearing on the subject.

(A) The rate of rent was changed from a monthly into a daily one with the sanction of Government. Vide final orders on Col.Jones' Memo No.69 dated the 1st November 1911 and his letter No.3903 dated the 3rd April 1912.

(B) A perusal of Col.Jones' Memo No.4771 dated the 12th June 1912 is solicited. If in spite of what is stated here, Government are of opinion that half rent should be charged for the days during which only servants and kit remain in the bungalow, effect

will be given to the same and the Military Secretary requested to communicate the fact to the Residency.

Sd.K.Krishnaiengar,

Camp, Mysore, For Secy. to Govt.

24th October 1912. P.W. Dept.

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I do not think that we are the free agents that Col. Jones considers us to be. I do not know about Udeypur. But here we have peremptory orders to charge something; and half rates are better than full rates.

Itd.T.A.R.

7th November 1912.

Letter No.1517-9/9293-5 dated 16th November 1912 from the Secretary, Public Works Department, to the Military Secretary to His Highness the Maharaja of Mysore.

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With reference to Col.Jones' endorsement No.4771 dated the 12th June 1912, I am directed to request you will be so good as to inform the Residency that half rent will be charged for the Awdry House at Ootacamund for the days during which only servants and kit remain in the Bungalow prior to the arrival and after the departure of the Hon'ble the Resident.

2. The file of papers received with your endorsement No.941 dated the 2nd October 1912 are herewith returned.

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